

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 3-17-03

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AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-15
ITEM DESCRIPTION: General Development Plan #202 by Castle Court MN Limited Partnership. The applicant is proposing to re-develop the Castles Trailer Park with uses in the B-4 (General Commercial) zoning district. The property is located south of 2 nd St. SW, east of 20 th Ave. SW and north of 3 rd St. SW.		PREPARED BY: Brent Svenby, Planner
March 12, 2003		
<u>City Planning and Zoning Commission Recommendation:</u>		
<p>On February 26, 2003 the City Planning and Zoning Commission reviewed this General Development Plan. The Commission also reviewed a zone change and LUPA for the property.</p> <p>The Commission reviewed this proposal according to the criteria listed in Paragraph 61.215 of the Zoning Ordinance and Land Development Manual.</p> <p><u>Staff had recommended that the GDP be revised shifting the proposed southerly access point along 20th Avenue SW to align with one of the existing access points on the west side of 20th Ave. SW. The planning commission removed that recommendation. Staff would recommend that the Council require that that southerly proposed access point on 20th Ave. SW be aligned with the northerly access point on the west side of 20th Ave. SW.</u></p> <p>Mr. Staver made a motion to recommend approval of General Development Plan #202 by Castle Court MN Limited Partnership with staff-recommended findings and conditions as amended. Ms. Rivas seconded the motion. The motion carried 7-0.</p> <p><u>Conditions:</u></p> <ol style="list-style-type: none">1. The GDP shall be revised removing the access opening proposed on 3rd Street SW.2. The applicant shall receive approval of the grading and drainage plan for the property prior to the development of the site. A storm water management fee will apply to any additional areas of impervious surface from what is existing currently.3. Any existing access locations that are removed for the redevelopment of the property shall be restored with curb and gutter, sidewalk and boulevard at the owner's expense.4. The condition of the existing pedestrian facilities along the frontages of this property will be reviewed by Public Works, and any needed panel repair or replacement work shall be done at the owner's expense concurrent with redevelopment of this property. <p><u>Planning Staff Recommendation:</u></p> <p>See attached staff report dated February 21, 2003.</p>		
<u>Council Action Needed:</u>		
<ol style="list-style-type: none">1. The Council may approve, approve with conditions, or deny the general development plan. The Council must make findings based on the criteria listed in Paragraph 61.215.2. If the Council wishes to proceed with the general development plan as proposed, it should instruct the City Attorney to prepare a resolution for Council approval.		
COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____		

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RCA

March 12, 2003

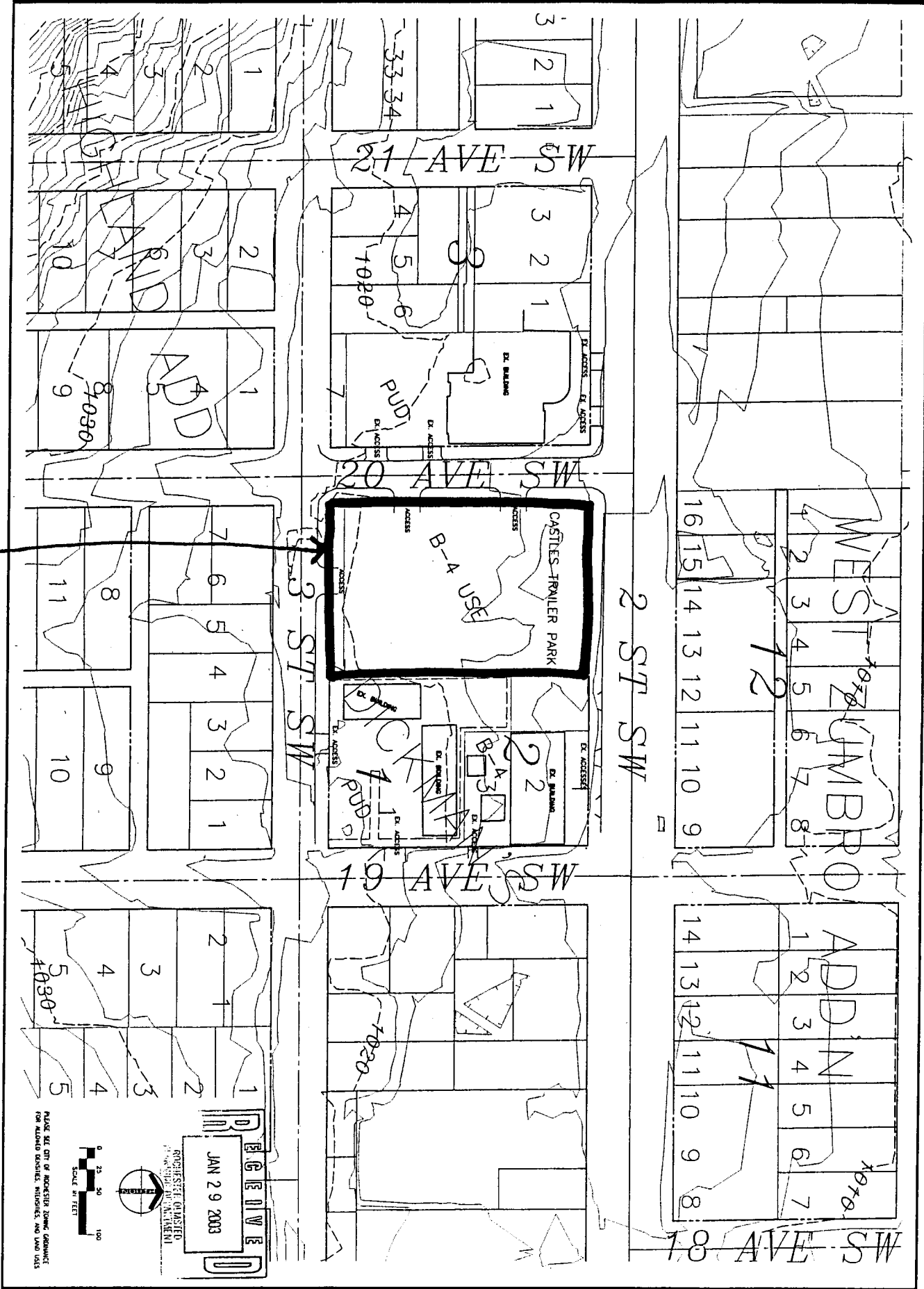
Attachments:

1. Staff Report dated February 21, 2003
2. Minutes of the February 26, 2003 CPZC Meeting (attached to LUPA RCA)

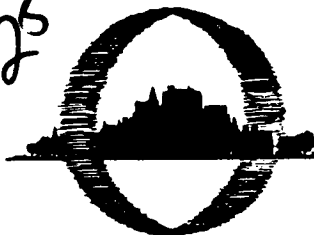
Distribution:

1. City Administrator
2. City Attorney
3. Planning Department File
4. Planning Department GIS Division
5. Applicant: This item will be considered some time after 7:00 p.m. on Monday, March 17, 2003 in the Council/Board Chambers in the Government Center at 151 4th Street SE.
6. Yaggy Colby Associates

SITE



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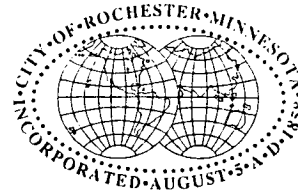


ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted



TO: City Planning and Zoning Commission

FROM: Brent Svenby, Planner

DATE: February 21, 2003

RE: General Development Plan #202 by Castle Court MN Limited Partnership. The applicant is proposing to re-develop the Castles Trailer Park with uses in the B-4 (General Commercial) zoning district. The property is located south of 2nd St. SW, east of 20th Ave. SW and north of 3rd St. SW.

Planning Department Review:

Petitioner/Property Owner: Castle Court MN Limited Partnership
Attn: Ken Witter
PO Box 727
Rochester, MN 55903

Consultant: Yaggy Colby Associates
717 Third Avenue SE
Rochester, MN 55904

Location of Property: The property is located along the south side of 2nd Street SW. The property is bounded by 2nd St SW, 3rd Street SW and 20th Avenue SW.

Proposed Use: The intended use of the property is not known at this time. If the rezoning of the property to the B-4 zoning district is approved, uses in the B-4 district would be permitted on the property as long as the zoning district standards could be met for the purposed use.

Land Use Plan: The Rochester Urban Service Area Land Use Plan designates this property as "low density residential".

Zoning: This portion of the property is currently zoned R-2 (Low Density Residential), the applicant is proposing to re-zone this portion of the property to the B-4 (General Commercial) zoning district.

Streets: There would not be any new public roadways within this development. The plan proposes two access openings along 20th Ave. SW and one access opening along 3rd Street SW. The proposed southerly access on 20th Avenue SW should align across from one of



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the existing access locations on the property west of 20th Avenue SW.

Sidewalks:

Sidewalks currently exist along the street frontages of the property. The condition of these pedestrian facilities will be reviewed by Public Works and any needed panel repair or replacement work would be the Owner's expense concurrent with re-development of the property.

Drainage:

No on-site storm water detention ponds are purposed for the property. The applicant intends to participate in the City's Storm Water Management Plan for the re-development of the site.

A detailed grading and drainage plan will be required when the property is platted or developed.

Wetlands:

Wetlands are not found on the property.

Referral Comments:

1. Rochester Public Works (see attached)
2. Fire Department
3. RPU Water Division
4. RPU Operations Division
5. MnDOT
6. Qwest
7. John Harford, Wetlands LGU

Report Attachments:

1. Copy of General Development Plan
2. Referral Comments (3)
3. Proposed General Development Plan Narrative

Staff Suggested Findings and Recommendation:

Paragraph 61.215 of the Rochester Zoning Ordinance and Land Development Manual lists the Criteria for approval of a general development plan (see attached section from the newly adopted regulations, which became effective May 15, 1999.

- Criteria A. The proposed land uses are generally in accord with the adopted Comprehensive Plan and zoning map, or that the means for reconciling any differences have been addressed. A GDP may be processed simultaneously with a rezoning or plan amendment request.

The Rochester Urban Service Area Land Use Plan designates this property as suitable for "Low Density Residential". A zoning district amendment is being considered concurrent with this request to change the zoning to B-4 (General Commercial). The property is currently zoned R-2 (Low Density Residential).

- Criteria B. The proposed development, including its lot sizes, density, access and circulation are compatible with the existing and/or permissible future use of adjacent property.

The proposed development is the redevelopment of a site that a manufactured home park once occupied. A commercial development would be compatible with the existing uses of the adjacent properties to the north, east and west.

The plan proposes two access openings along 20th Ave. SW and one access opening along 3rd Street SW. The proposed southerly access on 20th Avenue SW should align across from one of the existing access locations on the property west of 20th Avenue SW. The proposed access opening onto 3rd Street SW should be removed in order to keep commercial traffic generated by the future redevelopment of the property from conflicting and disrupting the residential traffic currently on 3rd Street NW.

Criteria C. The mix of housing is consistent with adopted Land Use and Housing Plans.

This proposal is for expansion of an existing commercial zoning and does not include a residential component.

Criteria D. The proposed plan makes provisions for planned capital improvements and streets reflected in the City of Rochester's current 6-Year Capital Improvement Program, adopted Thoroughfare Plan, the ROCOG Long-Range Transportation Plan, Official Maps, and any other public facilities plans adopted by the City. Street system improvements required to accommodate proposed land uses and projected background traffic are compatible with the existing uses and uses shown in the adopted Land Use Plan for the subject and adjacent properties.

The Planning Department is unaware of any street system improvements necessary to accommodate the re-development of the property.

The plan proposes two access openings along 20th Ave. SW and one access opening along 3rd Street SW. The proposed southerly access on 20th Avenue SW should align across from one of the existing access locations on the property west of 20th Avenue SW.

Criteria E. On and off-site public facilities are adequate, or will be adequate if the development is phased in, to serve the properties under consideration and will provide access to adjoining land in a manner that will allow development of those adjoining lands in accord with this ordinance.

1. Street system adequacy shall be based on the street system's ability to safely accommodate trips from existing and planned land uses on the existing and proposed street system without creating safety hazards, generating auto stacking that blocks driveways or intersections, or disrupting traffic flow on any street, as identified in the traffic impact report, if required by Section 61.523(C). Capacity from improvements in the first 3 years of the 6-year CIP shall be included in the assessment of adequacy.

The Planning Department is unaware of any street system improvements necessary to accommodate the re-development of the property.

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The plan proposes two access openings along 20th Ave. SW and one access opening along 3rd Street SW. The proposed southerly access on 20th Avenue SW should align across from one of the existing access locations on the property west of 20th Avenue SW. The purposed access opening onto 3rd Street SW should be removed in order to keep commercial traffic generated by the future redevelopment of the property from conflicting and disrupting the residential traffic currently on 3rd Street NW.

2. Utilities are now available to directly serve the area of the proposed land use, or that the City of Rochester is planning for the extension of utilities to serve the area of the proposed development and such utilities are in the first three years of the City's current 6-Year Capital Improvements Program, or that other arrangements (contractual, development agreement, performance bond, etc.) have been made to ensure that adequate utilities will be available concurrently with development. If needed utilities will not be available concurrent with the proposed development, the applicant for the development approval shall stipulate to a condition that no development will occur and no further development permit will be issued until concurrency has been evidenced.

Services are available to serve this property. The property is within the Main Level Water System area, with static pressures ranging from 63 to 68 PSI. Any unused water service must be abandoned property at the main per the requirements of the RPU Water Division. The property will be subject to water availability charge and sewer availability charge.

3. The adequacy of other public facilities shall be based on the level of service standards in Section 64.130 and the proposed phasing plan for development.

Sidewalks currently existing along the street frontages of the property. The condition of these pedestrian facilities would be reviewed by Public Works and any needed panel repair or replacement work would be the Owner's expense concurrent with re-development of the property.

No storm water management facilities are identified on this GDP. The applicant intends to participate in the City's Storm Water Management Plan for the re-development of the site.

- Criteria F. The drainage, erosion, and construction in the area can be handled through normal engineering and construction practices, or that, at the time of land subdivision, a more detailed investigation of these matters will be provided to solve unusual problems that have been identified.

No storm water management facilities are identified on this GDP. The applicant intends to participate in the City's Storm Water Management Plan for the re-development of the site.

A detailed grading and drainage plan will also be required when the property is developed.

- Criteria G. The lot, block, and street layout for all development and the lot density for residential development are consistent with the subdivision design standards contained in Section 64.100 and compatible with existing and planned development of adjacent parcels.

Zoning district appearance standards will be reviewed in detail at time when a specific use is proposed on the property and is reviewed through the Site Development Plan review process.

Summary & Recommendation:

The applicant has filed petitions to amend the Rochester Urban Service Area Land Use Plan to designate the southerly portion of the lot for "commercial" uses and to rezone it to the B-4 zoning district. If the CPZC and Council approve the Land Use Plan Amendment and rezoning, staff would recommend approval of the GDP with the following conditions or modifications:

1. ***The GDP shall be revised removing the access opening proposed on 3rd Street SW and shifting the southerly access point on 20th Ave. SW to the south to align across from the existing access location on the property across 20th Ave. SW.***
2. ***The applicant shall receive approval of the grading and drainage plan for the property prior to the development of the site. A storm water management fee will apply to any additional areas of impervious surface from what is existing currently.***
3. ***Any existing access locations that are removed for the redevelopment of the property shall be restored with curb and gutter, sidewalk and boulevard at the owner's expense.***
4. ***The condition of the existing pedestrian facilities along the frontages of this property will be reviewed by Public Works, and any needed panel repair or replacement work shall be done at the owner's expense concurrent with redevelopment of this property.***

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ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

DATE: 2/12/03

The Department of Public Works has reviewed the application for GDP#202 on the Castle Court. The following are Public Works comments on this request:

1. Grading & Drainage Plan approval is required prior to development, and a Storm Water Management charge will apply to any additional areas of impervious surface.
2. Any existing access locations that are removed for this project shall be restored with curb & gutter, sidewalk & boulevard at the Owner's expense.
3. The condition of existing pedestrian facilities along the frontages of this property will be reviewed by Public Works, and any needed panel repair or replacement work shall be done at the Owner's expense, concurrent with re-development of this Property.
4. The proposed southerly access to 20th Ave SW should align across from one of the existing access locations on the property west of 20th Ave SW.

Charges/fees applicable to the development of this property include the following (rates below are current through 7/31/03):

- ❖ Water Availability Charge @ \$1790.25 per developable acre
- ❖ Sewer Availability Charge (SAC) @ \$1790.25 per developable acre.
- ❖ Storm Water Management – TBD, for all additional impervious surface.

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February 6, 2003

Rochester-Olmsted
CONSOLIDATED PLANNING DEPARTMENT
2122 Campus Drive SE
Rochester, MN 55904-7996

REFERENCE: General Development Plan #202 by Castle Court MN Limited Partnership to re-develop the current Castles Trailer Park with uses in the B-4 zoning district.

Dear Ms. Garness:

Our review of the referenced general development plan is complete and our comments follow:

1. The property may be subject to the water availability fee, connection fees or assessments. The Land Development Manager (507-281-6198) at the Public Works Department determines the applicability of these fees.
2. This property is within the Main Level Water System area, with static water pressures ranging from 63 to 68 PSI.
3. Any unused water service must be abandoned properly at the main per our requirements.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson
Water

C: Doug Rovang, RPU
Mike Engle, RPU
Mark Baker, City Public Works
Vance Swisher, Fire Prevention
Gale Mount, Building & Safety
Keith Witter, Castle Court MN Limited Partnership
Yaggy Colby Associates



The hand to reach for...
DAVID A. KAPLER
Fire Chief

DATE: February 13, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher – Fire Protection Specialist

SUBJ: General Development Plan #202 by Castle Court MN Limited Partnership.

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division
Castle Court, MN Limited Partnership – Attn: Keith Witter – PO Box 727 – Rochester, MN 55903
Yaggy Colby Associates – 717 3rd Ave SE – Rochester, MN 55904

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1/29/03
YCA #8198 LD5

CASTLE COURT GENERAL DEVELOPMENT PLAN

Castle Court is approximately 1.58 acres that includes approximately 0.23 acres of 2nd Street SW right-of-way. It is currently being used as a trailer court that is in the process of closing. It is bounded by 2nd Street SW on the north, 20th Avenue SW on the west, 3rd Street SW on the south, and an apartment building and a commercial use on the east.

The following is a written summary of the General Development Plan (GDP) in accordance with Appendix B E-3.

- a) *Topographic or soils conditions which, in the estimation of the applicant, may create potential problems in street, drainage, public utilities or building design and construction, and how these problems will be investigated further or engineered to overcome the limitations.*

Soils on the property, indicated in the Olmsted County Soil Survey, consist of Lawler loam (485). This soil is somewhat poorly drained and because of the flat aspect of the property the erosion potential is low. No shallow bedrock or high water table conditions have been identified, but borings will be completed as design moves forward to identify further physical limitation on the site.

- b) *Storm drainage problems which, in the estimation of the applicant, may result in costs that will exceed normal storm drainage costs.*

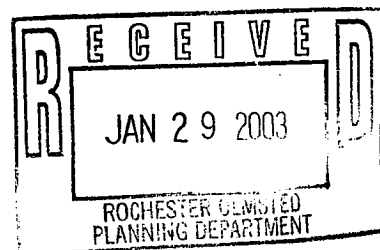
The storm drainage does not appear to cause problems that will result in the increase of normal costs for the development.

- c) *Identification of potential off-site drainage problems.*

The applicant intends to participate in the city's storm water management plan for development of this site. There should be no problems with off-site drainage created by this development.

- d) *Availability of utilities to serve the area under consideration.*

Sanitary sewer and water service is available in 2nd and 3rd Streets SW, and water is available from 20th Avenue SW as well. Storm sewer is available in 2nd Street SW and is extended into 20th Avenue SW as well.



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- e) *Identification of possible erosion problems which may arise in the estimation of the applicant.*

Erosion control measures will be incorporated into the grading plan during final design, but problems should be minimal if installed properly.

- f) *A general statement as to the possible phasing of any development activity to occur on the property under the control of the applicant.*

There is planned to only one phase for the development of this site.

City, and the Owner is obligated to grade and construct a 10 foot wide bituminous pedestrian mid-block connection on each of the three Outlots. In addition, the Owner shall grade and seed to turf, the area less the 10' bituminous path, within the three Outlots A, B and C, prior to deeding to the City.

4. Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 31, 2003.

Land Use Plan Amendment #03-02 AND Zoning District Amendment #03-04 by Castle Court MN Limited Partnership. The applicant is proposing to amend the Rochester Urban Service Area Land Use Plan to designate the southwest ¼ of the block bound by 2nd St. SW, 3rd St. SW, 19th Ave. SW and 20th Ave. SW for "commercial" land uses" and to re-zone that portion of the block from R-2 (Low Density Residential) to B-4 (General Commercial). The property is currently the site of Castles Trailer Park.

AND

* General Development Plan #202 by Castle Court MN Limited Partnership. The applicant is proposing to re-develop the Castles Trailer Park with uses in the B-4 (General Commercial) zoning district. The property is located south of 2nd St. SW, east of 20th Ave. SW and north of 3rd St. SW.

Mr. Brent Svenby presented the staff reports, dated February 21, 2003, to the Commission. The staff reports are on file at the Rochester-Olmsted Planning Department.

Mr. Svenby clarified that the southerly access point on 20th Avenue SW should be moved to the north instead of south.

Discussion ensued regarding moving accesses to line up with the driveway across the street.

The applicant's representative, Wade DuMond of Yaggy Colby Associates (717 Third Avenue SE, Rochester MN), addressed the Commission. He explained that the applicant had maps for the property showing different zoning districts than is on file at the Rochester-Olmsted Planning Department.

Ms. Wiesner asked when the last resident is scheduled to be moved.

Mr. DuMond responded April 2003.

Mr. DuMond explained that it is their intent to have an office use.

Mr. DuMond stated that the applicant agreed with the staff-recommended conditions, with the exception with regard to moving the access. He asked that they be able to use two of the access points and indicated that they would prefer they stay farther apart. He indicated that he did not believe that the Ordinance stated that he needed to line up the access points from different developments.

Mr. Haeussinger asked how many vehicles would be located in the parking lot.

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Mr. DuMond responded 20 to 25 vehicles.

With no one else wishing to be heard, Ms. Wiesner closed the public hearing.

Mr. Staver moved to recommend approval of Land Use Plan Amendment #03-02 by Castle Court MN Limited Partnership with the staff-recommended findings. Mr. Haeussinger seconded the motion. The motion carried 7-0.

Mr. Staver moved to recommend approval Zoning District Amendment #03-04 by Castle Court MN Limited Partnership with the staff-recommended findings. Mr. Haeussinger seconded the motion. The motion carried 7-0.

Ms. Rivas stated that she did not believe they needed to require the applicant to line up the access to the temple.

Mr. Svenby explained that, under Design Objectives in the Zoning Ordinance Section 64.144, states "Access locations have been properly offset from driveways or street intersections located across the roadway in order to limit conflicts within the mainline or median of the street."

Mr. Staver moved to recommend approval General Development Plan #202 by Castle Court MN Limited Partnership with the staff-recommended conditions as stated below. Ms. Rivas seconded the motion. The motion carried 7-0.

CONDITIONS:

1. The GDP shall be revised removing the access opening proposed on 3rd Street SW.
2. The applicant shall receive approval of the grading and drainage plan for the property prior to the development of the site. A storm water management fee will apply to any additional areas of impervious surface from what is existing currently.
3. Any existing access locations that are removed for the redevelopment of the property shall be restored with curb and gutter, sidewalk and boulevard at the owner's expense.
4. The condition of the existing pedestrian facilities along the frontages of this property will be reviewed by Public Works, and any needed panel repair or replacement work shall be done at the owner's expense concurrent with redevelopment of this property.

OTHER BUSINESS:

1. As may be brought up with members

Ms. Wiesner stated that CUDE asked that the Commission make a motion to initiate the review process for nonresidential parking standards.

Ms. Petersson moved to initiate the review process and committee with regard to nonresidential parking standards. Ms. Rivas seconded the motion. The motion carried 7-0.

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